

FILED: August 25, 2011

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1607
(1:04-cv-00818-JFM)
(1:04-md-15863-JFM)

In re: MUTUAL FUNDS INVESTMENT LITIGATION,

FIRST DERIVATIVE TRADERS, on behalf of itself and all others similarly
situated,

Plaintiff – Appellant,

and

CRAIG WIGGINS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JANUS CAPITAL GROUP, INCORPORATED, f/k/a Stilwell Securities Laws
Financial, Incorporated; JANUS CAPITAL MANAGEMENT,

Defendants – Appellees,

and

MARK B. WHISTON; LOREN M. STARR; GREGORY A. FROST,

Defendants.

O R D E R

Upon consideration of submissions relative to the motion for clarification of remand instructions, the court denies the motion.

This court remands the case to the United States District Court for the District of Maryland for further consideration in light of Janus Capital Group, Inc. v. First Derivative Traders, 131 S. Ct. 2296 (U.S. 2011).

Entered at the direction of Judge Shedd and Judge Duncan acting as a quorum pursuant to 28 U.S.C. § 46(d).

For the Court

/s/ Patricia S. Connor, Clerk